

REMARKS

Claims 1-16 are pending in this application. By this Amendment, the specification, abstract, and claim 1 are amended. No new matter is added.

In the Office Action, the disclosure is objected to. By this Amendment, the noted passages are revised consistent with the Examiner's suggestions. Withdrawal of the objection is respectfully requested.

In the Office Action, claims 1-5, 7-10, and 13-16 are rejected under 35 U.S.C. §102(e) over U.S. Patent No. 6,996,627 to Carden. This rejection is respectfully traversed.

Claim 1 is revised to indicate more precisely that it is the broadcast that is made according to a schedule and not the recording of the audiovisual content.

Thus, the subject matter of independent claim 1 is directed to the recording of audiovisual contents broadcast according to a schedule. The term "broadcast" is used to mean that the audiovisual contents are not transmitted to a specific access terminal, but are transmitted widely on a transmission medium, such as satellite, cable, territorial radio transmission or the Internet (pg. 1, lines 8-11).

The term "according to a schedule" is used to mean that the time of the broadcasting is predetermined and that a user of an access terminal cannot modify this schedule. Thus, the schedule for broadcasting the content is independent from the access terminals which receive this content.

Moreover, so as to facilitate the recording of the broadcast audiovisual content, the recited method proposes that the record file of the selected audiovisual content includes the address of an update server, for generating a request to update the record file, the request being sent by the terminal to the update server. The record file of the audiovisual content and the audiovisual content are accordingly two distinct items.

It is unclear how Carden is being applied as several different elements are equated to the same claim terms. However, regardless of interpretation, Carden fails to teach or suggest each and every feature of independent claim 1. For example, in the last paragraph of page 2 of the Office Action, the Examiner compares the program information items 102 with audiovisual contents to be recorded. The Examiner in the beginning of page 3 also compares the media items 114 with audiovisual content to be recorded. Moreover, in the middle of page 3, the Examiner also compares the program elements 202 with audiovisual content. Thus, three separate structures are relied upon to correspond to the claimed audiovisual content.

Furthermore, in the middle of page 3, the Examiner compares the program elements 202 with audiovisual content and in the end of page 3, the Examiner compares the program elements 202 with the record file. However, because the record file and the audiovisual content are two distinct items, it is erroneous to compare the program elements 202 both with the audiovisual content and the record file.

Regardless of how Carden is being applied, the object of Carden is the transmission, on request by a user (col. 4, 1. 38), of media items 114 stored on a media server 112 (col. 4, 1.37) to a client computer 100. From this, it is clear that the technical fields of the invention and of Carden are different; the invention is about audiovisual contents broadcast according to a schedule, and Carden is concerned with audiovisual contents unicast on demand to a client computer, for example by using streaming. As a result, Carden fails to teach each and every feature of claim 1.

For example, media items 114 do not constitute an audiovisual content being broadcast according to a schedule because they are transmitted on request by a user. Moreover, program information items 102 are not "audiovisual contents being broadcast according to a schedule" because they can be *periodically transmitted to the client computer*

(col. 4, 1. 51-54). Additionally, Carden does not disclose any record file containing information identifying items 102 and the scheduled date and time for the transmission of the information items 102 to the client computer.

Because Carden fails to teach each and every feature of independent claim 1, claim 1 and claims 2-16 dependent therefrom are not anticipated by Carden.

Withdrawal of the rejection is respectfully requested.

In the Office Action, claim 6 is rejected under 35 U.S.C. §103(a) over Carden in view of U.S. Application No. 10/314,040 to Ikeda and claims 11 and 12 are rejected under 35 U.S.C. §103(a) over U.S. Application No. 10/091,441 to Yamato. Applicants presume the Examiner intended to reject the application based on the underlying Ikeda and Yamato publications (U.S. Patent Application Publication No. 2003/0159151A1 and 2002/0127000A1, respectively). These rejections are respectfully traversed.

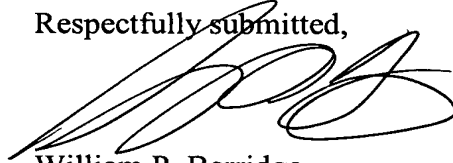
Ikeda and Yamato fail to overcome the deficiencies of Carden with respect to independent claim 1. Accordingly, dependent claims 6, 11 and 12 are allowable for their dependence on an allowable base claim and for the additional features recited therein.

Withdrawal of the rejections is respectfully requested.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-16 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Substitute Abstract

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